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BOOK REVIEWS.

IRA LLOYD LETTS, *Editor-in-Charge.*

CASES ON THE LAW OF PUBLIC SERVICE. By CHARLES K. BURDICK. Boston: LITTLE, BROWN AND COMPANY. 1916. pp. xiii, 544.

This case-book is the latest collection of precedents illustrating the evolution of the fluid and expanding body of law dealing with public service enterprises and their regulation. The editor has been able to avail of a large number of recent cases bringing down to date the developments in the law of the subject during the past two or three years—a period in which the United States Supreme Court and the various State Courts and Commissions have handed down many epoch-making decisions. The newness of the collection therefore makes the book invaluable for class-room work.

The arrangement and classification of the cases indicate a painstaking effort toward the logical development of the subject which has been successful in the main. In view of the complexities of this branch of law this is no mean accomplishment. The editor has been particularly happy in his selection of cases reflecting fundamental, and, in a sense universal, statutory policies and developments which have come to prevail in so many jurisdictions as to represent generally existing legal conditions.

It is not difficult to select cases illustrating the doctrines as to discrimination, for example, developed at common law in the absence of statutes. It is a matter calling for the exercise of sound judgment in the editor to select fairly illustrative cases exhibiting the generally adopted standards of prevailing statutes which have carried forward and developed the germs of the common law doctrines. The same observation applies to the many obligations of public service purveyors at common law and under statutes. The work of the editor in this selection shows a broad grasp of underlying principles and a well developed instinct for selecting excellent illustrative cases from the great amount of recent material.

The collection has one very grave fault which ought to be corrected in any subsequent edition, and that is the ruthless cutting of many of the cases in an effort at condensation. Numberless cases have been so cut that it is difficult, if not impossible, for the student to appreciate the facts and issues of the case without consulting the original reports. The effort to condense in this manner has robbed much of the material of its value along lines contemplated by the intelligent use of the case system of teaching law. The result is a statement of legal conclusions without putting in the hands of the student the foundation facts to which the conclusions were applied. This falls far below the aim of the case-method and really reaches a lower level than that attained by text-book instruction. The latter method at any rate has the merit of orderly and sequential statement which is entirely lost when miscellaneous emasculated cases are brought together.

Even with this serious fault the collection is the best thus far offered for use in the class-room as the basis for studying this engross-

ing and thoroughly live topic of the law. The fault is one easily remedied in the future editions which the other merits of the book are bound to insure.

Jackson E. Reynolds.

FEDERAL TRADE COMMISSION MANUAL. By RICHARD S. HARVEY and ERNEST W. BRADFORD. Washington, D. C.: JOHN BYRNE & Co. 1916. pp. ix, 457.

In order to understand the nature and value of the "Federal Trade Commission Manual", it is necessary to have a somewhat detailed statement of its contents. The first half of the book is devoted to a discussion and interpretation of the Federal Trade Commission act, and the Clayton law. Following this there are successively: the rules of practice of the Federal Trade Commission, suggested forms for use in practice before the commission; the Federal Trade Commission act; the Clayton law; the Sherman anti-trust law; relevant portions of the Wilson Tariff law; the statute creating the bureau of corporations; the provisions of the federal constitution applicable to anti-trust laws; the portion of the Sundry Civil act relating to the non-prosecution of labor and agricultural organizations, statutory immunity provisions; provisions of the federal judicial code applicable; anti-monopoly provisions of the Panama Canal act; the tentative forms of the Sherman law; the act to expedite anti-trust cases; the several reports of the Senate Interstate Commerce committee of 1913, together with the committee's proposed Trade Commission bill; senate report upon the history of injunctions, with remarks on existing law and practice; and the Interstate Commerce act. Finally there are memoranda of the cases instituted by the federal government under the anti-trust laws, revised to October 15, 1915, which contain the name of each case, the time when started, the object, and the measure of success obtained. Many cases are given which have not found their way into the judicial reports.

While a discussion of the points of law involved would be helpful, that is not within the scope of this manual, and the fact remains that this list of cases will prove valuable, to any one desiring to know the history of the anti-trust prosecutions. There are many commendable features about the manual. The style is clear and concise, and the work is enlivened by many striking phrases and telling figures of speech. The authors have a thorough knowledge of the history of politics and economics, which they use most helpfully.

Dean Wigmore, in the preface to the supplement to his epoch-making treatise on evidence says, "For ten and twenty years past there have been at the service of the profession some half a dozen legal periodicals, publishing the weightiest critiques of current legal problems. There is nothing in judicial opinion to show that these articles have ever been read; apparently their great labor and acute skill have been wasted on the judges". This labor and skill has also been wasted on many text-book writers. It is submitted that reviewers of law-books should in practically every instance state whether, or not, this most valuable source of material has been utilized. However, this manual, in addition to the citation of several law review articles, has a bibliography in the preface, and many references throughout the text to widely scattered sources of material, including even the statutes of several other countries. The authors in some cases do